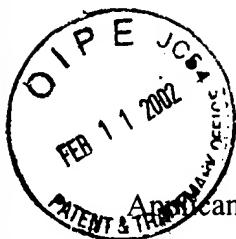


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ORIGINALLY FILED

3761A  
**PATENT**  
2326/29



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Douglas MONGEON  
Serial No. : 09/589,499  
Filed : June 7, 2000  
For : ARTIFICIAL AIRWAY DEVICE AND METHOD OF ITS USE  
Examiner : Dawson  
Art Unit : 3761

Assistant Commissioner for Patents  
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date: January 9, 2002

Reg. No. 42,674

Signature: 

Thomas C. Hughes

**AMENDMENT TRANSMITTAL LETTER AND  
REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)**

Sir:

Transmitted herewith is an Amendment for entry in the above-identified application:


1. The filing fee has been calculated after entry of the accompanying Amendment as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$)	FEE (\$)
TOTAL CLAIMS	19	minus	20	0	18.00	0.00
INDEPENDENT CLAIMS	2	minus	3	0	84.00	0.00
MULTIPLE DEPENDENT CLAIM ADDED					280.00	0.00
				TOTAL		0.00
				SMALL ENTITY TOTAL		

2. No additional fees are believed due.
3. Applicant respectfully requests a two-month extension of time in which to respond to the Office Action dated August 9, 2001 for which a response period expiring on November 9, 2001 was set. The extended period expires on January 9, 2002. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$400.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
  - A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
  - D. Any additional document supply fees under 37 C.F.R. § 1.19;
  - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
5. A copy of this letter is enclosed.

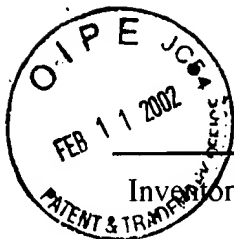
Respectfully submitted,

KENYON & KENYON

  
Thomas C. Hughes  
Reg. No. 42,674

Date: Jan. 4, 2002

KENYON & KENYON  
One Broadway.  
New York, NY 10004  
Tel: (212) 425-7200  
Fax: (212) 425-5288



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2326/29

#5/A

2/22  
22

Inventors: **Douglas MONGEON**

Serial No.: **09/589,499**

Filed: **June 7, 2000**

For: **ARTIFICIAL AIRWAY DEVICE AND  
METHOD OF ITS USE**

Examiner: **Dawson**

Art Unit: **3761**

Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231

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the United States Postal Service as first class mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington,  
D.C. 20231, on

Date Jan. 9, 2002 App's Reg. # 42,674

Atty's Signature

*[Signature]*  
**KENYON & KENYON**

**AMENDMENT**

In response to the Office Action mailed August 9, 2001, Applicant respectfully requests reconsideration in view of the amendments and remarks below. Enclosed herewith is a Petition for a Two Month Extension of Time for extending the time of response for this Office Action to January 9, 2002. The appropriate extension fee is to be charged to Kenyon & Kenyon's U.S. Patent & Trademark Office Deposit Account No. 11-0600. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

**In the Claims:**

Please amend the claims to read as follows:

✓  
Cancel claim 1 without prejudice.

2. An artificial airway device comprising:

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01 FC:116 400.00 CH

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*Sub B. 7 (u)*